

REMARKS

In the Office Action mailed February 5, 2008 the Office noted that claims 1-5 were pending and rejected claim 1 and objected to claims 2-5. Claim 6 has been added, no claims have been canceled, and, thus, in view of the foregoing claims 1-6 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 103

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being obvious over Tseng, U.S. Patent No. 5,896,568 in view of LaGrotta, U.S. Patent Publication No. 2003/0027597. The Applicant respectfully disagrees and traverses the rejection with an argument. Tseng discusses processing Asynchronous Transfer Mechanism (ATM) packets between a Digital Signal Processor (DSP) and cell sites via an ATM Edge switch.

On page 2 of the Office Action, it is asserted that Tseng, Figs. 1b, 2b and 4 and col. 4, lines 41-64 disclose "said baseband signal processing unit and said plurality of RF signal processing units are connected by cables transmitting a digital signal bidirectionally," as in claim 1. In particular, the Office interprets the DSP of Tseng as equivalent to the baseband signal processing unit of the claims and the cell sites equivalent to the RF signal processing sites of the claims.

However, the claim requires that the baseband signal

processing unit and the plurality of RF signal processing units be connected by cables. Tseng, Fig. 4 clearly shows that the DSP is connected to the cell sites by ATM Edge Switch 4010. Thus, Tseng does not teach "baseband signal processing unit and said plurality of RF signal processing units are connected by cables transmitting a digital signal."

Further, on page 3 of the Office Action, it is asserted that Tseng, col. 2, line 57 through col. 3, line 57 discloses "said plurality of RF signal processing units each multiplexes at least one signal of the frame timing signal and the CPU-to-CPU communication signal with a demodulated digital signal, for transmission to said baseband signal processing unit," as in claim 1. The cited text of Tseng discusses the six functional areas required between the MSC and the cellular user. However, the areas discussed do not enable a frame timing signal or a CPU-to-CPU communication signal in a manner in which would allow one of ordinary skill in the art to practice features of the present claims. Any reference used to reject a claim must itself be enabling for the subject matter of the invention alleged to be taught (see In re Wilder, 429 F.2d 447, 166 U.S.P.Q. 545 (C.C.P.A. 1970) and In re Collins, 462 F.2d 538, 174 U.S.P.Q. 333 (C.C.P.A. 1972)).

The Office does not assert and the Applicant has not found that LaGrotta discloses the features as discussed above. Therefore, Tseng and LaGrotta, taken separately or in

combination, fail to render obvious the features of claim 1.

Withdrawal of the rejections is respectfully requested.

ALLOWABLE SUBJECT MATTER

Claims 2-5 are objected to as being dependent from a rejected base claim, but otherwise allowable if re-written in independent form.

NEW CLAIMS

Claim 6 is new. Support for claim 6 is found in paragraph 0005 and Fig. 1 of the Specification. The Applicant submits that no new matter has been added by the inclusion of claim 6. The prior art fails to teach said baseband signal processing unit is directly connected by said cables to said plurality of RF signal processing units.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 102. It is also submitted that claims 1-6 continue to be allowable. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON


James J. Livingston, Jr.
Reg. No. 55,394
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JJL/lrs